

Amendment No. 47 to HB3250

**Kernell
Signature of Sponsor**

AMEND Senate Bill No. 3212*

House Bill No. 3250

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

By adding the following language to the end of Section 2 of the printed bill:

Section 3-17-113.

(a) The secretary of state shall have the authority to establish, by duly promulgated rules and regulations, the procedures and criteria for requiring and obtaining criminal background checks for officers, directors, trustees and the principal salaried executive staff officer of a § 501(c)(3) organization that has filed an annual event application. The secretary of state may utilize the Tennessee bureau of investigation or the federal bureau of investigation to conduct criminal background checks.

(b) Procedures and payments of costs associated with criminal background checks shall be governed by §§ 38-6-103 and 38-6-109. The § 501(c)(3) organization that has filed an annual event application shall be responsible for payment for all criminal backgrounds checks required by this act. The secretary of state shall not pay for any criminal background check required by this act

(c) Criminal background checks may include fingerprint checks against state and federal criminal records maintained by the Tennessee bureau of investigation and the federal bureau of investigation.

(d) The secretary of state shall be immune from suit for declining to approve the conducting of an annual event based upon criminal background information received pursuant to this act.

(e) Initial rules promulgated pursuant to this act may be promulgated as public necessity rules pursuant to § 4-5-209(a)(4).

(f) The provisions of this subsection shall apply to annual event applications for the operation of annual events to be conducted on and after July 1, 2005.

AND FURTHER AMEND

by deleting the following subsection from amendatory §3-17-103 in Section 2:

(_) All annual event applications shall include a criminal history records check issued by the Tennessee bureau of investigation for all persons who will operate the annual event or have custody or control of any proceeds from the annual event. Such records check shall be dated no more than six (6) months prior to the date application is made to the secretary; provided that the provisions of this subsection shall apply to annual event applications for the operation of annual events to be conducted on and after July 1, 2005.